

REMARKS

We have carefully considered the Office Action dated December 18, 2007, in which allowable subject matter is found in claims 89-96 and the remaining claims are rejected as either anticipated by or obvious over United States Patent 5,428,342 to Enoki et al. We thank the Examiner for an interview in which the differences between the cited reference and the independent claims were discussed. We also thank the Examiner for suggested language for the independent claims, and we have amended the independent claims in accordance with the discussion.

As we pointed out, the Enoki system retains and utilizes what is referred to as “standard data 46.” The standard data 46 is obtained by operating a given apparatus, or electric user, alone and detecting the current used by that particular apparatus. See, Col. 3, lines 51-54 (“when each apparatus alone is operated”); Col. 5, lines 56-60 (“since the standard data for each apparatus are produced by operating each apparatus alone”). Specifically, with the given apparatus operating alone, the current detector 31 produces a current signal that is then converted into a digital signal by preprocessor 32. A processor 39 uses an FFT to convert the digital signal into a power spectrum that is stored in the pattern memory 33 “as a standard power spectrum 44 of this operated *single* apparatus.” See, Col. 3, lines 51-60 (quoting lines 58-60, emphasis added). The standard power spectrum for each operated single apparatus has, at different frequencies, peaks and rises that are “peculiar” to the apparatus. The Enoki system stores the frequencies and

magnitudes of the peaks and rises as the standard data 46 for that apparatus. See, Col. 3, lines 61-65.

The Enoki reference teaches using the standard data 46, which are acquired when operating respective appliances alone, to discriminate among the operating appliances. See, Col. 4, lines 19-29; Col. 5, lines 56 et seq. Accordingly, the Enoki system monitors the current consumed by a household (Col. 2, lines 45-62) and uses the standard data to determine which particular electric users are on or off. See, e.g., Col. 4, lines 19-29. In contrast, the monitoring device of, for example, claim 47, is connected between the source of electric energy and the electric load of a given (i.e., single) electric user, and thus, monitors the operations of only the given electric user based on pre-stored reference data or profiles. Accordingly, the monitoring device and the Enoki system operate quite differently.

Claim 47, as amended reads, in pertinent part:

a memory for retaining **pre-stored reference data or profiles of electric power or current that are absorbed during operating cycles of a corresponding type of electric user;**

a processor for determining status information that is representative of the present status or phase of operation of the single household electric user based on the quantities of electric power or current determined by the detector and the stored pre-stored reference values, (emphasis added).

Both the memory for retaining pre-stored reference data or profiles and the processor for determining status information based on the reference data are missing from the teachings

of Enoki. The Enoki reference explicitly shows a pattern memory 33 for retaining the standard power spectrum 44 and standard data 46 that are derived from the current drawn when operating respective electric users alone in the household. See, Col. 3, lines 52-68; Col. 5, lines 38-48. The standard data and standard spectrum power spectrum of the Enoki system are thus not the same as the pre-stored reference data or profiles set forth in the pending claims.

Accordingly, Enoki does not anticipate independent claims 47, 68 and 85 as amended and the claims that depend therefrom because, *inter alia*, the Enoki reference does not show the memory for retaining the pre-stored reference data or profiles or the processor for utilizing the pre-stored reference values.

The distinction of using pre-stored reference data that relates to a corresponding type of electric user as opposed to the standard data 46 that are gathered from the operations of the actual electric user in the household is important. For example, the inventive system can determine if an electric user is operating properly from the start based on the pre-stored reference data. The Enoki system, which relies on the standard data, determines if the electric user is operating in the same manner that the user was operating when the standard data are determined, that is, at a time when the electric user may or may not have been operating properly.

We do not specifically address the Examiner's rejections of claims that depend from independent claims 47, 68 and 85. This should not be construed as acquiescence to

the rejections, but as recognition that the rejections are moot based on our remarks regarding the allowability of the independent claims 47, 65 and 85 as amended.

The claims, as amended, should now be in form for allowance. We ask that the Examiner enter the amendments, reconsider the rejections of claims 47-87 and issue a Notice of Allowance for all pending claims. Alternatively, we request that the Examiner telephone the undersigned for further interview before a next Office Action is issued.

Please charge any fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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